

**RETENTION OF EDUCATOR LICENSES**

2002 GENERAL SESSION

STATE OF UTAH

**Sponsor: Matt Throckmorton**

**This act modifies provisions related to the State System of Public Education by establishing criteria for retaining an educator license.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**53A-6-104**, as last amended by Chapters 86 and 292, Laws of Utah 2001

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-6-104** is amended to read:

**53A-6-104. Board licensure.**

(1) (a) The board may issue licenses for educators.

(b) (i) A person employed in a position that requires licensure by the board shall hold the appropriate license.

(ii) The board shall issue a letter of authorization permitting a person to be employed as a classroom teacher if requested by a local school board which has determined that:

(A) the person has outstanding professional qualifications or extensive job experience in the public or private sector in such areas as mathematics, science, business, information technology, and applied technology; and

(B) employment of the person would permit the school district to better meet the educational goals of students.

(2) ~~[(a)]~~ The board may by rule rank, endorse, or otherwise classify licenses and establish the criteria for obtaining ~~[and retaining]~~ licenses.

~~[(b)(i) Consistent with Subsections 53A-1a-104(7) and 53A-6-102(2)(a) and (b), the board shall make rules requiring participation in professional development activities in order for educators to retain their licenses.]~~



28           ~~[(ii) An educator who is enrolling in a course of study at an institution of higher education~~  
29 ~~within the state system to satisfy the professional development requirements of Subsection (2)(b)(i)~~  
30 ~~is exempt from tuition, except for a semester registration fee established by the State Board of~~  
31 ~~Regents, if:]~~

32           ~~[(A) the educator is enrolled on the basis of surplus space in the class after regularly~~  
33 ~~enrolled students have been assigned and admitted to available classroom space in accordance with~~  
34 ~~regular procedures and normal teaching loads in that space within the institution's approved~~  
35 ~~budget; and]~~

36           ~~[(B) enrollments are determined by each institution under rules and guidelines established~~  
37 ~~by the State Board of Regents in accordance with findings of fact that space is available for the~~  
38 ~~educator's enrollment.]~~

39           (3) Unless suspended or revoked by the board, or surrendered by the educator, a license  
40 is valid for the following period:

41           (a) a letter of authorization is valid for one year, or a shorter period as specified by the  
42 board, subject to renewal by the board for a total of not more than four years of full-time  
43 equivalent employment; and

44           ~~[(b) a level 1 license is valid for three years, subject to renewal by the board for a total of~~  
45 ~~not more than six years;]~~

46           ~~[(c) a level 2 license is valid for five years, subject to renewal by the board; and]~~

47           ~~[(d) a level 3 license is valid for seven years, subject to renewal by the board.]~~

48           (b) a level 1, level 2, or level 3 license is valid if the license holder verifies, in accordance  
49 with rules of the board, educational employment of at least three years during each succeeding  
50 five-year interval.

51           (4) The board shall establish minimum requirements for relicensing of persons who are  
52 unable to qualify for a license under Subsection (3)(b).

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## Legislative Review Note

as of 12-19-01 3:13 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel